

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BELINDA K. and J.H., her minor son,	)	Case No.: 10-CV-02507-LHK
	)	
Petitioners,	)	
v.	)	ORDER STRIKING DEMAND FOR
	)	JURY TRIAL
YOLANDA BALDOVINOS, et al.,	)	
	)	
Respondents.	)	

On December 15, 2010, Respondent filed a Motion to Strike Petitioner's demand for a jury trial, on the basis that the Indian Child Welfare Act does not provide a jury trial right. By stipulation, the hearing date for this Motion was previously set for March 3, 2011. On February 10, 2011, Petitioner filed a timely Statement of Nonopposition to the Motion to Strike. Accordingly, the Court hereby GRANTS the Motion to Strike the jury demand. If this case proceeds to a trial, it will be tried by the Court.

The motion hearing set for March 31, 2011 is vacated. However, the Court will hold a Case Management Conference on March 31, 2011 at 1:30 p.m., as scheduled.

**IT IS SO ORDERED.**

Dated: March 28, 2011

  
LUCY H. KOH  
United States District Judge